

**PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA
COMMISSION DIRECTIVE**

ADMINISTRATIVE MATTER

☐

DATE

June 24, 2020

MOTOR CARRIER MATTER

☐

DOCKET NO.

2019-281-S

UTILITIES MATTER

☐

ORDER NO.

2020-432

THIS DIRECTIVE SHALL SERVE AS THE COMMISSION'S ORDER ON THIS ISSUE.

SUBJECT:

[DOCKET NO. 2019-281-S](#) - Application of Palmetto Utilities, Incorporated for Adjustment of Rates and Charges, Terms and Conditions, for Sewer Service Provided to Customers in Its Richland and Kershaw County Service Areas – Staff Presents for Commission Consideration Certain Proposals Contained in the Letter of Protest/Comments Filed June 16, 2020 by Grant Robitzsch.

COMMISSION ACTION:

In an email dated June 16, 2020, Mr. Grant Robitzsch, a Palmetto Utilities customer, requested that the Commission delay acting upon the Company's application for a rate increase until the public health crisis presented by COVID-19 has passed. He also requests that the Commission hold two in-person public night hearings at which affected customers could express their opinions and offer their testimony regarding the proposed rate increase.

As a matter of law, I do not believe that the Commission can grant Mr. Robitzsch's request to delay action on this docket. We are bound by South Carolina Code Section 58-5-240, which requires the Commission to rule upon a rate application within six months of filing. Under the six-month rule imposed by this law, the Commission was required to issue its final order in this case no later than Wednesday, May 27, 2020. On or about March 18, 2020, following the outbreak of COVID-19 and the Governor's order declaring a State of Emergency, the Public Service Commission took the extraordinary step of requesting that the Company waive its right to have its rate request ruled upon by May 27. On the following day, Palmetto Utilities agreed to the requested waiver and a stay of all proceedings for a period of 60 days.. This stay was voluntarily agreed to by Palmetto Utilities, and absent Palmetto's agreement, the Commission had no power to order a stay. Subsequently, the parties agreed to a final order deadline of August 6, 2020. It is not possible, without agreement by the utility and other parties, to postpone further action on this docket as Mr. Robitzsch requests. Palmetto Utilities agreed to the Stay when it was under no obligation to do so.

Likewise, I move that we deny Mr. Robitzsch's request for in-person public night hearings. Two public evening hearings were scheduled, and two virtual public evening hearings have been held.

In going forward with proceedings, the Commission and Commission Staff have looked at the South Carolina Court system for guidance on how the Courts are conducting hearings. Guidance published by the Chief Justice of the South Carolina Supreme Court provides that video conferencing should be the primary means of holding hearings in the Court system. We are conducting the day hearing where the parties present their witnesses by utilizing virtual technology as was done for the public night hearings. I believe that virtual hearings conducted using remote communication technology such as videoconference and telephone continues to

be necessary to protect public health in this time when the COVID-19 pandemic is still ongoing.

For these reasons, I move that we deny Mr. Robitzsch's requests

PRESIDING: Randall

SESSION: Regular

TIME: 2:00 p.m.

	MOTION	YES	NO	OTHER
BELSER	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
ERVIN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
HAMILTON	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
HOWARD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
RANDALL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
WHITFIELD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
WILLIAMS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Absent</u>

voting via videoconference

voting via videoconference

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voting via videoconference

Military Leave

(SEAL)

RECORDED BY: J. Schmieding

